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| IN RE: APPEAL OF MY SANG THI TRAN, RELATIVE TO A PROPERTY LOCATED AT 330 SUMMIT AVENUE, CITY OF READING, BERKS COUNTY, PENNSYLVANIA | : BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2018-40 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION |
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**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 12th day of June, 2019, hearings having been held on December 12, 2018, April 10, 2019, and May 8, 2019, upon the application of My Sang Thi Tran, notice of such hearing having first been sent and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the Zoning Hearing Board of the City of Reading (hereinafter referred to as the “Zoning Board”) renders the following decision:

FINDINGS OF FACT

The Zoning Board finds the following facts:

1. Applicant is My Sang Thi Tran, sole member of Sandy’s Nail Spa, LLC, having a principal mailing address of 59 Augusta Lane, Fleetwood, Pennsylvania 19522 (hereinafter referred to as the “Applicant”).
2. Sandy’s Nail Spa, LLC, is the fee simple owner of property located at 330 Summit Avenue, City of Reading, Berks County, Pennsylvania 19611 (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the R-2 Zoning District as that term and district is defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
4. Applicant requests zoning relief from Sections 600-803.B., 600-608, 600-1603 of the Zoning Ordinance to operate a nail salon in an existing single-story commercial structure along with associated relief from parking requirements.

5. Applicant testified the Subject Property was formerly used for a tile business.
6. At the hearing held on December 12, 2018, Applicant testified there would be up to 10 employees.
7. Applicant also testified the nail salon would be open 7 days a week with hours from 9:30 a.m. to 7:00 p.m., Monday through Saturday, and 9:30 a.m. to 4:00 p.m. on Sunday, prevailing time.
8. Testimony was presented at the December 12, 2018, concerning the parking conditions at the Subject Property.
9. One neighbor testified parking is a problem in the neighborhood due to a nearby school and all of the extracurricular activities that occur at the school.
10. Applicant was granted a continuance to establish a parking plan.
11. A subsequent hearing was held on April 10, 2019, at 5:30 p.m.
12. After Applicant presented testimony, the Zoning Board still had concerns about parking at the Subject Property and granted Applicant a continuance until May 8, 2019, at 5:30 p.m. to further to establish a better parking plan.
13. Applicant failed to appear for said hearing or request another continuance.

DISCUSSION

Applicant submitted an application on November 16, 2018, seeking relief to operate a nail salon in an existing single-store commercial structure along with associated relief from parking requirements. Two hearings were held and a continuance was granted to Applicant until May 8, 2019, at which time Applicant failed to appear.

CONCLUSIONS OF LAW

1. Applicant is My Sang Thi Tran, sole member of Sandy's Nail Spa, LLC.
2. The Subject Property is located at 330 Summit Avenue, City of Reading, Berks County, Pennsylvania 19611.

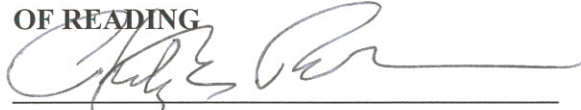
3. Applicant filed a zoning application on November 16, 2018, and two subsequent hearings were held with a final continuance being granted until May 8, 2019.

4. Applicant failed to appear at the hearing scheduled on May 8, 2019, at 5:30 p.m.

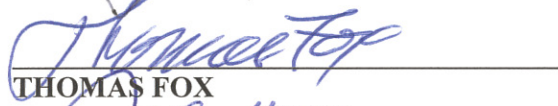
5. Based upon the foregoing Findings of Fact, the Zoning Board denies Applicant's requested relief due to the failure to provide a parking plan.

The decision of this Board is by a vote of _____ to _____.

ZONING HEARING BOARD OF THE CITY
OF READING



PHILIP RABENA, CHAIRMAN



THOMAS FOX



JEFFREY GATTONE

WILLIAM HARST